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# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

## GOVERNMENT OF INDIA

## MINISTRY OF PETROLEUM &amp; CHEMICALS

New Delhi, the 20th Sept., 1967

## ORDER

S. O. In exercise of the powers conferred by sub-section (1) read with clauses (c) and (e) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Drugs Prices.

(1) This Order may be called the Drugs Prices (Display and Control) third amendment Order, 1967.

In the Drugs prices (Display and Control) Order, 1966

(i) after paragraph 6, the following paragraphs shall be inserted namely: —

“6A. Form for obtaining approval of the Central Government.

For the purpose of obtaining the approval of the Central Government under paragraphs 3 and 6, the manufacturer, importer or distributor of a drug shall supply in the Form appended to this Order all relevant particulars in respect thereof to the Central Government.

6B. Paragraph 6 not to apply to certain drugs:

(1) Where a new drug, not included in the price list published by any manufacturer, importer or distributor of drugs immediately before the enforcement of this Order, has improved therapeutic value either by incorporation of at least one new therapeutic ingredient developed by original research or by adoption of manufacturing techniques involved by appreciable development research, the manufacturer, importer or distributor of such new drug may, after supplying in the Form appended to this Order all relevant particulars in respect thereof to the Central Government introduce such new drug for sale or include the price of such new drug in his price list.

(2) The Central Government may, after due scrutiny of the particulars received, by Order, fix a price for the new drug other than the price included by the manufacturer, importer or distributor of drugs in the price list referred to in sub-paragraph (1) and thereupon the price of the new drug shall, with effect from such date (not earlier than the date of communication of the order of the Central Government as may be specified in the Order stand modified accordingly.

Provided that where no such order is made by the Central Government within a period of four months from the date of receipt of the relevant particulars referred to in sub-paragraph (1) the price of new drug shall be deemed to be the price of such drug as included by the manufacturer, importer or distributor of drugs in his price list referred to in the said sub-paragraph.

Explanation: A mere change in dosage or formulation in the preparation of a drug the price of which has been included in the price list published by any manufacturer, importer or distributor of drugs immediately before the enforcement of this Order, shall not be deemed to constitute a new drug within the meaning of sub-paragraph (1).

(3) Where a question arises whether a drug constitutes a new drug within the meaning of sub-paragraph (1) it shall be decided by the Central Government.

(ii) after paragraph 11, the following Form shall be inserted namely:

## “FORM”

Particulars to be furnished under paragraphs 6A and 6B (See paragraphs 6A and 6B of the Drugs Prices) (Display and Control) Order, 1966.

Note: (i) Please fill a separate form for each drug.

(ii) Please enclose a copy of the latest price list of your company if you have not sent one to the Government already. If a copy has already been sent give reference in the forwarding memo.

## PART I

1. Name of the company and address of the registered Office and factory.

## 2. Name of the drug

(Please indicate also the generic name/chemical name of the active ingredient(s).)

## 3. Type, composition and specification of pack.

## 4. (a) Is the drug claimed to be a new drug as defined in paragraph 6B of the Control Order? If so, furnish particulars in Part II.

(b) If it is not a new drug, as above, is it a drug proposed to be introduced by you as an addition to your list?

(c) (i) Is the drug already included in your price list, for which a price revision is now sought?

(ii) If so, indicate

(a) the type, composition and specification of pack under which it is being marketed by you.

(b) the date of its introduction.

(c) the existing prices (wholesale and retail).

(d) the basis on which these prices were fixed.

(e) number and date of Government Order, if any, approving these prices.

5. Give the following details in respect of comparable drugs in the market (If there is more than one comparable drug, please furnish details of each of the drug).

Sl. No.	Name of the drug	Name of the manufacturer	Type, composition and pack under which marketed	Approx. date of introduction	Wholesale price	Retail price
1	2	3	4	5	6	7

6. The wholesale and retail prices for which approval is sought.

(furnish particulars in Part III)

7. What was the percentage of sales of this drug to the total turnover of your company during the last two years?

## PART II

(To be filled in for a new drugs referred to in paragraph 6B of the Drugs Prices (Display and Control) Order, 1966).

1. Does it contain a new therapeutic ingredient developed by original research? If so, give the chemical and generic name of the ingredient.

2. Has there been any scientific publication about the new ingredient? If so, enclose a copy of the publication.

3. Is the new ingredient, the subject of any patent? If so, give details.

4. Has any developmental work/research been carried out for the evolution of the drug? If so, give details.

5. Is there any medical literature about the drug? If so, enclose copies.

6. Indicate the specific advantages of this drugs over any existing comparable drugs in the market.

7. Give details of the trials carried out to substantiate the claims.

8. Has approval under the Drugs Act, if necessary, been obtained for the introduction of this drug?

9. Has this drug been introduced in any country? If so, give particulars.

Cost and price data.

Note: (i) Please fill this Part separately for each pack.

(ii) In the case of revision of price of existing drugs please fill in this Part to give the particulars valid for

(1) 1963 or the date on which the price revision proposal was earlier accepted by Government:

(2) 30-6-1966; and

(3) the date of present claim for price revision.

## A. Specification of the pack.

B. Ex-factory cost:	Unit	Cost to factory per unit	Quantity consumed	Total cost
		Rs.		Rs.

(i) Cost of materials

(a) Imported (Specify items)

(b) Indigenous (Specify items)

(c) Container

(d) other packing materials

Total

(ii) Conversion charges (inclusive of processing, quality control, packing and depreciation indicate basis, if necessary in a separate sheet).

(iii) Royalty and service fees if any

(iv) Excise duty

Ex-factory cost.

C. Promotion and distribution expenses (indicate, if necessary on a separate sheet the basis on which the incidence has been arrived at).

D. Profit (indicate, if necessary on a separate sheet the basis on which the incidence has been arrived at).

Unit	Cost to factory per unit	Quantity consumed	Total cost
	Rs.		

E. Selling commission

I. Wholesale price

G. Retailers margin

H. Retail price

In the case of imported and indigenous raw materials please furnish particulars in Part IV

## PART IV

Break up of Material cost to Factory

(a) Imported materials

Description of material	Unit	CID	Customs duty	Clearing and other charges	Cost to factory
		Rs.	Rs.	Rs.	Rs.

(b) Indigenous materials

Description of material	Unit	Basic price	Sales Tax and octroi	Transport charges	Cost to factory
		Rs.	Rs.	Rs.	Rs.

Signature of the Manufacturer  
Importer or distributor of drugs

(No. 18-13/66 Ch. III)

M. RAMAKRISHNAYNA

Joint Secretary to the Government of India

Dated 20th September, 1967.

## MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

New-Delhi, the 13th July, 1967

## Notification

F.1-15/65-D

In exercise of the powers conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), the Central Government, after consultation with the Drugs Technical Advisory Board, hereby makes the following rules further to amend the Drugs and Cosmetics Rules, 1945, the same having been previously published as required by the said sections, namely:—

1. These rules may be called the Drugs and Cosmetics (Second Amendment) Rules, 1967.

2. In the Drugs and Cosmetics Rules, 1945, in Schedule K, after entry 17, the following entry shall be inserted, namely:—

Class of Drugs	Extent and conditions of exemption
"18. Clinical thermometers manufactured in India.	All the provisions of Chapter IV of the Act and the rules thereunder subject to the conditions that the Clinical thermometers bear the Indian Standards Institution. Certification Mark specified by the Indian Standards Institution and comply with the provisions of the Indian Standards Institutions (Certification Marks) Act, 1952 (36 of 1952), the Indian Standards Institutions (Certification Marks) Rules, 1955 and the Indian Standards Institution (Certification Marks) Regulations, 1955".

AMAR NATH VARMA  
Under Secretary

GOVERNMENT OF GOA, DAMAN  
AND DIU

Special Department

## Notification

2-38-66-SPL

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963 the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to redeployment of surplus staff against vacancies in Goa, Daman and Diu Civil Services and posts Class IV and Class III namely:—

1. **Short title and commencement.**— (1) These rules may be called the Redeployment of surplus staff against vacancies of Class IV and Class III posts under the Administration of Goa, Daman and Diu Rules 1967.

2. **Definitions.**— In these rules unless the context otherwise requires,

(a) 'Cell' means the Goa, Daman and Diu (Surplus Staff) Cell in Special Department of the Secretariat.

(b) 'Surplus Staff' means persons who have been rendered surplus as a result of

(i) Introduction of Administrative Reforms.

(ii) Studies by the Economy Committee constituted for this Union Territory.

(iii) Studies of work measurement or other administrative reforms undertaken by Government Departments/Offices; and

(iv) Abolition or winding up of organisations.

3. **Redeployment of Surplus Staff.**— (i) All vacancies of Class IV and Class III posts under this Administration of Goa, Daman and Diu which are required to be filled by direct recruitment otherwise than on the basis of competitive examinations held by the Union Public Service Commission shall be filled from amongst the Surplus Staff sponsored by the Cell.

(ii) The Government Departments or Offices may fill vacancies in accordance with the normal procedure only after ascertaining from the Cell that they have no suitable persons from amongst the Surplus staff available with them for the particular post.

**Age limit:** The maximum age limit prescribed for direct recruitment to Class IV and Class III posts may be deemed to have been relaxed in the case of surplus staff redeployed through the Cell.

**Educational Qualifications:** (1) The Surplus staff sponsored by the Cell for redeployment against the vacancies of Class IV and Class III posts under the Administration of Goa, Daman and Diu Civil Services Posts, shall not be subject to any tests or interviews for the purpose of appointment unless otherwise decided by or in consultation with the Cell.

(2) The Surplus Staff shall not be ineligible for appointment in the recipient organisation on the ground that they do not possess the minimum educational qualifications prescribed for the posts to which they are redeployed by the Cell except in cases where certain minimum technical qualifications are prescribed for a particular post.

**Medical Examination:** The surplus staff redeployed by the Cell shall not be required to undergo fresh medical examination unless different medical standards have been prescribed for the post in the recipient organisation or unless the person concerned had not been medically examined in respect of his previous post or if examined, had been declared medically unfit.

**Powers of the Chief Secretary, the Deputy Secretary (Appointments), Collector, Daman and Civil Administrator, Diu.**

The Chief Secretary and the Deputy Secretary (Appointments) shall decide about the suitability or otherwise of surplus staff for redeployment against vacancies of Class IV and Class III respectively in the Departments and offices in Goa, Daman and Diu. In so far as Class III and Class IV staff personnel rendered surplus in the Departments and offices in Daman and Diu are concerned, the Collector Daman and the Civil Administrator, Diu, respectively, shall initially determine their suitability or otherwise for

the redeployment against appropriate vacancies in the Offices and Departments of Daman and Diu. If they are unable to find posts for them in Daman/Diu, such cases will be referred to the Dy. Secretary (Appointments).

*Amendment of Recruitment Rules:* All rules regulating the Recruitment of persons to Goa, Daman and Diu Civil Services and posts shall be deemed to have been amended to the extent provided for in these rules.

G. K. Bhanot, Chief Secretary.

Panaji, 3rd April, 1968.

### Notification

OSD/RRVS/41/66

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa, dated the 25th July, 1963 the Administrator of Goa, Daman and Diu is pleased to make the following amendment to the Goa Government, Education Department (Non-gazetted, non-ministerial) posts Recruitment Rules, 1966 issued under Notification dated 23rd July, 1966 and published in the Government Gazette, Series I, No. 21, dated 25th August, 1966.

### AMENDMENT

In the Schedule attached to the said Notification,

#### 1. Against the post indicated at Serial No. 3

- (a) For the existing entry in column 4 substitute:

"Rs. 130-5-160-8-200-EB-8-256-EB-8-280-10-300".

- (b) For the existing entry in column 5 substitute:

"Selection".

- (c) For the existing entry in column 7 substitute:

"*Essential:* (i) Intermediate/Senior Cambridge/Higher Secondary School Certificate or equivalent (ii) Certificate in Library Science, of a recognised Institute. (iii) At least 2 years experience as a Librarian/Assistant Librarian".

- (d) For the existing entry in column 10 substitute:

"By Promotion failing which by direct recruitment".

- (e) For the existing entry in column 11 substitute:

"*Promotion:* Librarian III having 2 years standing in the grade".

- (f) For the existing entry in column 12 substitute:

"Class III D. P. C.".

#### 2. Against the post indicated at Serial No. 4 for the existing entry in column 11 substitute:

"*Promotion:* Librarian II having 3 years standing in the grade".

#### 3. Against the post indicated at Serial No. 34

- (a) For the existing entry in columns 8, 11 and 12 substitute:

"Not Applicable".

- (b) For the existing entry in column 10 substitute:

"Direct Recruitment".

4. Existing entry against Serial No. 37 may be deleted and the serial numbers of the subsequent entries changed accordingly.

#### 5. Against the post indicated at Serial No. 38 now renumbered as Serial No. 37

- (a) For the existing entry in column 8 substitute:

"Not Applicable".

- (b) For the existing entry in column 10 substitute:

"Promotion — 50% Direct Recruitment — 50%".

- (c) For the existing entry in column 11 substitute:

"Promotion — 25% Assistant teacher/Junior Instructor in the scale of Rs. 170-380, with 3 years experience and 25% Primary Teacher I with 7 years experience in the grade".

"*Note:* — For the purpose of eligibility the officials holding the above posts should possess the minimum qualifications of S. S. C. or equivalent".

G. K. Bhanot, Chief Secretary.

Panaji, 1st June, 1968.

### Notification

OSD/RRVS/12/67

In exercise of the powers conferred by the proviso to article 309 of the Constitution read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa, dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following amendment to the Goa Government Translators and Legal Assistants under Law Commission (Class III Non-gazetted posts) Recruitment Rules, 1967 published under Notification of even number dated 15th December, 1967 in the Government Gazette, Series I, No. 41, dated the 11th January, 1968.

### AMENDMENT

In the Schedule attached to the said Notification against the post of «Translators» in column 7, for the existing entry, substitute:

- 1) Intermediate or Senior Cambridge.
- 2) Lyceum Course 7th year (Arts) with Portuguese literature as a course of study or an equivalent qualification in Portuguese.

*Preferable:*

Degree of a recognised University with English literature as one of the subjects.

G. K. Bhanot, Chief Secretary.

Panaji, 6th June, 1968.

## Legislative Assembly of Goa, Daman and Diu

## Legislature Department

LA/2053/68

In exercise of the powers conferred on him by rule 117 of the Rules of Procedure and Conduct of Business of the Legislative Assembly of Goa, Daman and Diu, the Speaker has ordered publication of the following Bill for general information.

The Goa, Daman and Diu Agricultural Tenancy (Amendment) Bill, 1968

(Bill No. 8 of 1968)

A Bill further to amend the Goa, Daman and Diu Agricultural Tenancy Act, 1964.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Nineteenth year of the Republic of India as follows:

1. **Short title.** — This Act may be called the Goa, Daman and Diu Agricultural Tenancy (Amendment) Act, 1968.

2. **Amendment of section 2.** — In section 2 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, (hereinafter referred to as the principal Act),—

(1) clause (1) shall be renumbered as clause (1A) and before clause (1A) as so renumbered, the following clause shall be inserted, namely:—

‘(1) “Administrative Tribunal” means the Administrative Tribunal constituted under the Act No. 6 Goa, Daman and Diu Administrative Tribunal Act, 1965;’

(2) after clause (8), the following clause shall be inserted, namely:—

‘(8A) “to hold land” as a tenant with its grammatical variations and cognate expressions means—

- (i) where a land is cultivated only during one cultivating season of a year, to be in actual possession of the land throughout the year; and
- (ii) where a land is cultivated during two cultivating seasons of a year, to be in actual possession of the land during any one of the cultivating seasons;’

(3) In clause (13), the following explanation shall be inserted, namely:—

‘Explanation: For the purposes of this clause, the period of lease shall be, where land is cultivable only during one cultivating season of a year throughout such season and where land is cultivable for two cultivating seasons of a year and is cultivated during any one of these seasons, throughout such seasons.’

3. **Amendment to section 4.** — In section 4 of the principal Act, after the third proviso the following proviso shall be inserted, namely:—

‘Provided also that where the same land is lawfully cultivated separately by different persons in different cultivating seasons in a year, and each

such person satisfies the conditions mentioned in this section, each such person shall be deemed to be a tenant of the land for the cultivating season during which such person cultivates the land.’

4. **Amendment of section 13A.** — In section 13A of the principal Act,—

(1) in sub-section (1), the following proviso shall be inserted at the end, namely:—

‘Provided that where more than one person is deemed to be the tenant of the land in pursuance of the fourth proviso to section 4, the notice under this sub-section shall be given to each such tenant.’

(2) in sub-section (2), the following proviso shall be inserted at the end, namely:—

‘Provided that where more than one person is deemed to be the tenant of the land in pursuance of the fourth proviso to section 4, and more than one such person signifies his willingness to purchase the land, the contract to purchase the land at the said price shall be deemed to have been concluded between the landlord and the tenant, whose name is selected by the Mamlatdar by drawing lots amongst the tenants who have signified their willingness to purchase the land, in the presence of the landlord and such tenants.’

5. **Amendment of section 36.** — In section 36 of the principal Act,—

(1) in sub-section (1), the following explanation shall be added, namely:—

‘Explanation: A land which is cultivable both during the “Sard” (Kharif) and “Vaingan” (Rabbi) season in a year, is not cultivated during any one of the said seasons during any year, shall for the purpose of this section be deemed to have remained uncultivated for that year.’

(2) after the proviso to clause (b) of sub-section (3), the following further proviso shall be inserted, namely:—

‘Provided further that where the manager is satisfied that for the purpose of bringing the land under cultivation it is necessary for the lessee to make improvements on the land at a considerable cost or labour or both, it shall be competent for the manager to remit to the lessee the whole or part of the rent payable to him in respect of the land, for a maximum period of five years.’

(3) after sub-section (3), the following sub-section shall be inserted, namely:—

‘(3A) Where the management of any land has been assumed under sub-section (1) on account of the default of the tenant, such tenant shall cease to have any right or privilege under the provisions of this Act, in respect of such land, with effect from the date on and from which such management has been assumed.’

6. **Substitution of a new section for section 43.** — For section 43 of the principal Act, the following section shall be substituted, namely:—

‘43. **Tribunal.** — (1) For the purposes of this Act there shall be a Tribunal consisting of not more than three members, called the Agricultu-

ral Lands Tribunal, for such area as the Government may, by notification, from time to time specify.

(2) Notwithstanding anything contained in sub-section (1), the Government may appoint any officer not below the rank of a Mamlatdar to be the Agricultural Lands Tribunal and to exercise the powers and to perform the duties and functions of the said Tribunal under this Act in a Taluka or in any other area as may be specified in this behalf.

(3) Save as otherwise provided, the qualifications of the members constituting the Tribunal and conditions of service and all other matters relating to the constitution or organisation of the Agricultural Lands Tribunal, shall be such as may be prescribed.

**7. Amendment of section 49.** — In section 49 of the principal Act, —

(1) in sub-section (1), —

- (i) after the words "the Mamlatdar", the words "or the Tribunal" shall be inserted;
- (ii) for the word "Government", the words "the Administrative Tribunal" shall be substituted;
- (iii) the proviso shall be omitted.

(2) in sub-section (2), —

- (i) the words "or an order in appeal or revision" shall be omitted;
- (ii) the words "or by the Tribunal", shall be omitted;
- (iii) for the word "Government", in both the places where they occur, the words "Administrative Tribunal" shall be substituted.

**8. Amendment of section 50.** — In section 50 of the principal Act, —

(1) in sub-section (1), after the word "Mamlatdar" wherever it occurs, the words "or Tribunal" shall be inserted;

(2) for sub-section (2), the following sub-sections shall be substituted, namely: —

'(2) An application for revision may be made to the Administrative Tribunal against any order, other than an interim order of the Collector, on the following grounds only: —

- (a) that the order of the Collector was contrary to law;
- (b) that the Collector has failed to determine some material issue of law; or
- (c) that there was a substantial error in following the procedure provided by this Act, which has resulted in the miscarriage of justice.

(3) On the coming into force of the Goa, Daman and Diu Agricultural Tenancy (Amendment) Act, 1968, all revision applications pending with the Government shall stand transferred to the Administrative Tribunal and shall be disposed of by the said Administrative Tribunal as if they had been filed under sub-section (2).

**9. Amendment of section 51.** — In section 51 of the principal Act, in sub-section (1), for the words "the Tribunal or the Government", the words "or the Administrative Tribunal" shall be substituted.

**10. Amendment of section 52.** — In section 52 of the principal Act, in sub-section (2), for the words "the Government", the words "the Administrative Tribunal" shall be substituted.

**11. Amendment of section 53.** — In section 53 of the principal Act, —

(1) in sub-section (1), the words "or the Government", in both the places where they occur, shall be omitted;

(2) in sub-section (3), for the words "the Collector and the Government", the words "and the Collector" shall be substituted.

**12. Amendment of section 56.** — In section 56 of the principal Act, in sub-section (1), after the words "service to the public", the words "or lands vested in the Custodian under the Goa, Daman and Diu Administration of Evacuee Property Act, 1964" shall be inserted.

#### Memorandum of Delegated Legislation

Section 43 which is being substituted for the existing section under clause 6 of the Bill empowers Government to prescribe the qualification of the members constituting the Agricultural Lands Tribunal and the conditions of service and all other matters relating to the constitution or organisation of the Tribunal. The delegation is of a normal and routine nature.

#### Financial Memorandum

Government may have to incur some expenditure on the appointment of Tribunals under section 43 or on officers appointed to perform the functions of the Tribunal under sub-section (2) of section 43. It is, however, not possible to indicate the exact expenditure that will be required on this account since the appointment of these Tribunals will be made after noticing the volume of cases which are required to be dealt with by the Tribunal under the provisions of the Act. If the work load is quite small (which at present appears to be the case) the powers of the Tribunal will be conferred on the existing Mamlatdars and in that case no additional expenditure will have to be incurred.

#### Statement of Objects and Reasons

In the course of the implementation of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, it has been found necessary to carry out certain amendments in the Act. The Bill seeks to carry out these amendments. In the following notes on clauses of the Bill, the important amendments which are sought to be made under the Bill are explained:

**Clause 2(2) and (3) and clause 3:** It has been noticed that in this territory there is a system of the same land being cultivated by different persons as tenants during the two cultivating seasons, "Sard" and "Vaingan" in a year. The provisions of the Tenancy Act have been drafted keeping in view single tenancy in respect of any land as is the practice all over the country. The system of dual tenancies is



peculiar to Goa. It is, therefore, necessary to amend the Act for the purpose of recognising these dual tenancies so as to give protection to both the tenants in respect of the land cultivated by them in different seasons. This is sought to be achieved by these clauses.

**Clause 4:** This clause seeks to make the consequential amendments which are necessary as a result of the recognition of dual tenancies.

**Clause 5:** it has been noticed that in many cases lands which are cultivated during both the seasons of a year are cultivated only during one cultivating season and are left fallow during the other. Under the existing provisions of section 36, the management of such lands cannot be assumed by Government on the ground that they have remained uncultivated for two consecutive years. Sub-clause (1) of this clause, therefore, seeks to provide that if such land is not cultivated for two consecutive years during one of the cultivating seasons, the lands will be liable to be assumed under management under section 36.

Certain cases of lands lying uncultivated have been noticed where the lands can be brought under cultivation after making improvements on the land at considerable cost or labour or both. In such cases cultivators are unwilling to come forward to take such land on lease and bring it under cultivation if they are required to pay the normal rent of one-sixth of the produce payable according to the provisions of the Act, since this does not tend to repay them the investment made by them in the improvement of the land. To encourage such cultivators to bring the land under cultivation, this clause seeks to empower the manager of the uncultivated land, which is assumed under management under section 36, to lease out such land to cultivators and remit to the lessee the whole or part of the rent for a maximum period of five years.

Where the management of any land is assumed by Government on the ground that it has remained uncultivated for two consecutive years and it is found that the land was in the possession of a tenant, there is no justification for allowing such defaulting tenant to enjoy the protection of the Act. Sub-clause (3) of this clause, therefore, seeks to provide that

in such cases the defaulting tenant will cease to enjoy any rights or privileges under the provisions of the Act.

**Clause 6:** The work which has been entrusted to the Agricultural Lands Tribunal under the provisions of the Act is at the taluka level. Considering the paucity of judicially qualified persons for being appointed at the taluka level as members of the Agricultural Lands Tribunal, it is necessary to take powers to Government to appoint officers of the grade of Mamlatdar to function as such Tribunals. This clause seeks to give such power to Government.

**Clause 7:** This seeks to make consequential amendments.

**Clause 8:** At present the powers of revision over the appellate orders of the Collector are conferred on Government and Government has delegated these powers to the Revenue Secretary. It is expedient that the powers of revision are exercised by an independent Tribunal considering the fact that the jurisdiction of the civil court is barred in all tenancy proceedings. This clause, therefore, seeks to confer the revisional jurisdiction on the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965.

**Clause 9, 10 and 11:** These clauses seek to carry out consequential amendments.

**Clause 12:** This clause seeks to exempt the lands vested in the Custodian under the Goa, Daman and Diu Administration of Evacuee Property Act, 1964, from the provisions of the Act.

The Administrator has recommended the introduction and Consideration of the Bill under section 23 of the Government of Union Territories Act, 1963.

Panaji,  
3rd April, 1968.

D. B. BANDODKAR  
Chief Minister

Assembly Hall  
Panaji,  
14th June, 1968.

R. L. SEGEL  
Secretary to the Legislative Assembly  
of Goa, Daman and Diu.